

REMARKS

Reconsideration and allowance are respectfully requested. Claims 1, 4, 5, 17, 20 and 21-23 are currently pending. Claims 1, 2 and 5-20 have been amended, claims 21-23 have been added and claims 2, 6-16, 18 and 19 have been withdrawn from consideration.

Claims 1, 4, 5 and 17 stand rejected under 103(a) as being obvious over Queveau (EP 0579535) in view of Sekishiro (U.S. Patent No. 6,296,296). The Examiner states that “when assembled, the trim panel of Queveau prevents moisture from entering the space defined by the vehicle door.” The Examiner admits that Queveau does not disclose a seal between a manually actuable element and an opening in which the manually actuable element is moved. The Examiner contends that Sekishiro teaches a seal between a manually actuable element and an opening, and it would be obvious to provide the door assembly of Queveau with a seal about the manually actuable element. Applicant respectfully traverses this rejection.

The claimed invention is not obvious. Queveau does not disclose that the trim panel 4 is a waterproof panel as claimed. Queveau discloses a support panel 3 and a trim panel 4 fixed on the support panel 3 that includes several openings which receive various elements. The openings in the trim panel 4 receive grills 61 and 93, as further shown in the Figure. Grills 61 and 93, by definition, include openings that would allow water to flow through the grills 61 and 93. The grill 93 is for a loud speaker and is clipped on the support panel 3 (page 5, paragraph 1 of the translation). The grill 61 is for an air duct 6 (page 4, paragraph 2 of the translation). Because of the presence of the openings and the grills 61 and 93 for the speaker and the duct, the trim panel 4 would not be waterproof and would not provide a waterproof barrier as claimed. These features would allow moisture to pass.

Additionally, the trim panel 4 of Queveau includes an opening 44 that allows a cladding sheet of the support panel 3 to be exposed (page 3, lines 22-24 of the translation). Therefore, even when the trim panel 4 is assembled, the trim panel 4 would not be waterproof and would not provide a waterproof barrier because water could flow through the opening 44. The trim panel 4 would not prevent the passage of water. Sekishiro also does not disclose any waterproof panel. Therefore, the combination of the references does not disclose, suggest or teach the claimed invention. The claimed invention is not obvious, and Applicant respectfully requests that the rejection be withdrawn.

Claim 17 is also not obvious. Neither reference discloses, suggests or teaches an o-ring. Sekishiro discloses a grommet 24 for the passage of a door lock. The grommet 24 is not an o-ring as claimed. Therefore, when the grommet 24 of Sekishiro is added to the door of Queveau, the combination does not teach, suggest or disclose the claimed invention because neither reference discloses an o-ring. Claim 17 is not obvious, and Applicant respectfully request that the rejection be withdrawn.

A check in the amount of \$1190.00 (\$790.00 Request for Continued Examination fee, \$120.00 for the one month extension, \$100.00 for two additional claims in excess of twenty and \$180.00 Information Disclosure Statement fee) is enclosed. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully submitted,

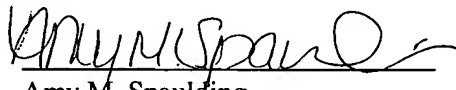
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CERTIFICATE OF MAILING

I hereby certify that the attached response is being deposited with the U.S. Postal Service as First Class Mailing, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 22, 2005.


Amy M. Spaulding